

M2EVPOLA

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

20 Cr. 110 (LJL)

5 ISABELLA POLLOK,

6 Defendant.

Arraignment

7 -----x
8 New York, N.Y.

February 14, 2022

9 3:30 p.m.

10 Before:

11 HON. LEWIS J. LIMAN,

12 District Judge

13
14 APPEARANCES

15 DAMIAN WILLIAMS,

16 United States Attorney for the
Southern District of New York

17 MOLLIE E. BRACEWELL

DANIELLE R. SASSOON

18 Assistant United States Attorneys

19 DAVID K. BERTAN

20 JILL R. SHELOW

Attorneys for Defendant

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1 (Videoconference)

2 (Case called)

3 THE DEPUTY CLERK: Starting with counsel for the
4 government and then for defendant, please state your appearance
5 for the record.

6 MS. BRACEWELL: Good afternoon, your Honor.

7 Mollie Bracewell for the government.

8 Also on the line is Danielle Sassoon.

9 THE COURT: Good afternoon.

10 MR. BERTAN: Good afternoon, your Honor.

11 David Bertan for Ms. Pollok. I'm also joined on the
12 line by Jill Shellow, who is co-counsel with me.

13 THE COURT: Good afternoon, Mr. Bertan, Ms. Shellow.

14 And good afternoon to you, Ms. Pollok.

15 Can you hear me okay?

16 THE DEFENDANT: Yes, your Honor. Good afternoon.

17 THE COURT: Good afternoon.

18 I can hear you well and I can see you well.

19 If at any time, Ms. Pollok, you cannot see me or you
20 cannot hear me, please let me know. Do you understand that?

21 THE DEFENDANT: Yes, your Honor.

22 THE COURT: Mr. Bertan, you've got a very colorful
23 background behind you. I suspect that's not where you are, but
24 if it is where you are, congratulations.

25 MR. BERTAN: If you only knew, your Honor. I'm about

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1 as far from there as you could be. It's a photo of a glacier
2 in Norway. I'm actually in Costa Rica.

3 THE COURT: That's not a bad place to be.

4 So I understand, Ms. Bracewell, we're here today for
5 the purpose of arraigning Ms. Pollok on the superseding
6 indictment; is that correct?

7 MS. BRACEWELL: Yes, that's correct, your Honor.

8 THE COURT: Before we proceed further, let me note for
9 the record that we're proceeding today by Zoom. I understand
10 that that is with the consent of the defendants -- the
11 defendant. I have the authority under the CARES Act and under
12 the Court's standing orders to conduct this proceeding
13 remotely. But before I go further, let me ask Mr. Bertan and
14 Ms. Shellow whether you have discussed with Ms. Pollok her
15 right to appear physically in front of me today and whether she
16 waives that right.

17 MR. BERTAN: We have, your Honor.

18 THE COURT: Okay.

19 And Mr. Bertan, does she waive that right?

20 MR. BERTAN: Yes, she does.

21 THE COURT: Ms. Pollok, let me direct myself to you.

22 Do you understand that you would have a right to
23 appear in front of me today in the courtroom?

24 THE DEFENDANT: Yes.

25 THE COURT: And did you discuss that with your lawyers

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1 and do you waive that right?

2 THE DEFENDANT: Yes, your Honor, I did. And yes, I
3 waive my right.

4 THE COURT: Okay. Again, I find that Ms. Pollok has
5 discussed with her lawyers the right to an in-court appearance
6 and has waived her rights. And I have the authority to conduct
7 this proceeding remotely by Zoom pursuant to the CARES Act and
8 the Court's standing orders.

9 I can see and hear counsel. I can see and hear
10 Ms. Pollok. If at any time counsel cannot see or hear me or
11 the proceedings, or Ms. Pollok cannot, you'll let me know.

12 Ms. Bracewell, anything further we need to cover by
13 way of preliminaries?

14 MS. BRACEWELL: No, your Honor.

15 THE COURT: So let me proceed then to the superseding
16 indictment. It is S2 20 CR 110.

17 Ms. Pollok, have you seen a copy of that indictment?

18 THE DEFENDANT: Yes, your Honor, I have.

19 THE COURT: Okay. And have you discussed it with your
20 lawyers?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you waive the public reading of it or
23 would you like me to read it to you?

24 THE DEFENDANT: I waive the public reading, your
25 Honor.

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1 THE COURT: How do you plead to the superseding
2 indictment, S2 20 CR 110?

3 THE DEFENDANT: Not guilty.

4 THE COURT: Thank you, Ms. Pollok.

5 Ms. Bracewell anything further to do by way of
6 arraignment?

7 MS. BRACEWELL: No, nothing further.

8 I just would move before we close today to exclude
9 time until our trial date of July 18th of this year so that the
10 defendant can continue to prepare her defense and consider
11 motions, and the parties can engage in any possible pretrial
12 disposition, discussions about a possible pretrial disposition.

13 THE COURT: Mr. Bertan or Ms. Shellow, what's the
14 defense's position?

15 MR. CURRIE: No objection, your Honor.

16 THE COURT: Okay. I will exclude time under the
17 Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A), from today until
18 July 18th, 2022 under the Speedy Trial Act. I find that the
19 ends of justice outweigh the best interests of the defendant
20 and the public in a speedy trial in that the time from today
21 until July 18 can be used by the parties to review discovery,
22 to consider any further motions, and to discuss a potential
23 pretrial resolution.

24 Anything further from the government's perspective?

25 MS. BRACEWELL: No. Thank you, your Honor.

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1 THE COURT: Anything further from the defense
2 perspective?

3 MR. BERTAN: No, your Honor.

4 THE COURT: All right. Ms. Pollok, good luck to you.
5 We're adjourned.

6 If the parties need the Court's attention, you'll
7 write to me. Thank you and have a good afternoon, everybody.

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